

ORDINANCE NO. 1497

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, AMENDING CHAPTER 18, (SOLICITATION), TO PROTECT AGAINST CRIMINAL ACTIVITY, MINIMIZE THE UNWELCOME DISTURBANCE OF CITIZENS AND THE DISRUPTION OF PRIVACY BY LICENSING DOOR-TO-DOOR SOLICITORS AND PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$500 FOR EACH OFFENSE.

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That Chapter 18, Article II of the Code of Ordinances is amended to read as follows:

ARTICLE II. LICENSE

Sec. 18-16. Definitions. In this article:

Canvass means to: (a) attempt to enlist support for or against a particular religion, political party, candidate, cause or issue or (b) distribute flyers advertising a non-commercial event or service.

Solicit means to: (a) request a donation of money or other thing of value or

(b) sell any item for money or other thing of value.

Sec. 18-17. Prohibitions.

(a) It is unlawful for a person 14 years of age or older to solicit an occupant of a residential dwelling:

(1) without first obtaining a license issued by the City;

(2) between the hours of 8:00 p.m. and 9:00 a.m.;

(3) listed on the No Solicitation Registry.

(b) It is unlawful for any person other than the licensee to use or wear any license or badge issued under the provisions of this Chapter.

Sec. 18-18. License Application. License applications must be made on the forms provided by the City and accompanied with the application fees. Licenses are valid for six months or until revoked. Before a license is issued or renewed, the applicant must provide:

(a) Reasonable evidence of age and identification of the applicant;

- (b) A brief description of the business or activity to be conducted;
- (c) The name, address and telephone number of the person, company or organization represented;
- (d) A statement as to whether or not the applicant has been convicted of a felony or misdemeanor and the nature of the offense or violation (excluding traffic offenses);
- (e) A statement as to whether or not the applicant has had a civil judgment for fraud, deceit, or misrepresentation entered against them within 5 years preceding the date of the application;
- (f) Two photographs of the applicant taken within sixty days immediately prior to the date of filing of the application. The photographs must measure two inches by two inches and show the head and shoulders of the applicant.

Sec. 18-19. Denial or Revocation of License.

- (a) The City may refuse to issue a license or may revoke a license in accordance with the procedures established by this code, for any of the following reasons:
 - (1) The applicant provided false information in the application;
 - (2) The applicant has been convicted of a felony or misdemeanor involving a sex offense, trafficking in controlled substances, burglary, theft, or any violent acts against persons or property, within 5 years preceding the date of application;
 - (3) A civil judgment for fraud, deceit, or misrepresentation was entered against the applicant within 5 years preceding the date of application;
 - (4) A violation of the prohibitions listed in this chapter.
- (b) The applicant may appeal a license denial or revocation by filing a written appeal with the city. The city manager or designee shall review the appeal within twenty-four hours after its filing to determine whether the denial or revocation meets the standards imposed by this article. The appeal provisions in this section govern over any other conflicting provision in this Code.

Sec. 18-20. Identification Badges.

- (a) The City will issue each licensee an identification badge, which must be worn by the licensee at all times while soliciting in the City.
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- (b) A canvasser, otherwise exempt from the provisions of this Chapter, may request an identification badge from the City.

Sec. 18-21. No Solicitation Registry.

- (a) A resident may place their address on the City's No Solicitation Registry by completing a form provided by the City.
- (b) The No Solicitation Registry will be provided to solicitors upon their receiving a license.

Section 2. That Section 2-8(b) of the Code of Ordinances is amended to add a new subsection (13) to read as follows:

(13) Solicitor license\$35.00

Section 3. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance shall not affect the validity of the remainder of the ordinance.

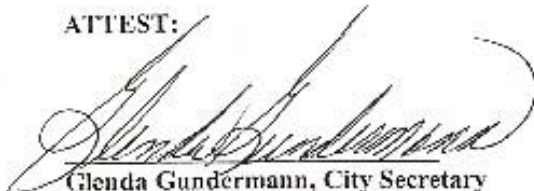
Section 4. That any person found guilty of violating this ordinance shall be fined not more than \$500.00 for each offense. Each violation will constitute a separate offense. Notice of the enactment of this ordinance shall be given by publishing the ordinance or its descriptive caption and penalty in the city's official newspaper one time within thirty days of passage.

APPROVED on first consideration on May 13, 2005.

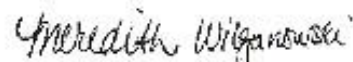
ADOPTED upon second consideration on May 17, 2005.


David G. Wallace, Mayor

ATTEST:


Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:


Meredith Wilganski